

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 110, "Trapping Limitations," Iowa Administrative Code.

Chapter 110 sets the requirements for placing, tagging and checking traps and snares.

The amendment prohibits the placement of traps or stakes in the public right-of-way except during a period of time that begins two weeks before the season opens and ends on the last day of the season.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 8, 2009, as **ARC 7692B**. A public hearing was held on April 29, 2009. There were 39 comments received: 10 were in favor, 26 were opposed and 3 were neutral on the proposed changes. The Natural Resource Commission voted to extend the period of time during which traps could be placed upon the public road right-of-way from that specified in the amendment to rule 571—110.1(481A) in Item 1 of the Notice. The Commission did not adopt Item 2 of the Notice, which proposed to amend rule 571—110.5(481A).

This amendment is intended to implement Iowa Code sections 481A.38 and 481A.92.

This amendment shall become effective August 5, 2009.

The following amendment is adopted.

Amend rule 571—110.1(481A) as follows:

571—110.1(481A) Public roadside limitations—snares, body-gripping, and conibear type traps. No person shall set or maintain any snare, body-gripping, or conibear type trap within any public road right-of-way within 200 yards of buildings inhabited by human beings unless a resident of the dwelling adjacent to the public road right-of-way has given permission or unless the body-gripping or conibear type trap is completely ~~under water~~ underwater or at least one-half of the loop of a snare is ~~under water~~ underwater. Nothing in this rule shall be construed as limiting the use of foothold traps or box-type live traps in public road rights-of-way. No person shall place or leave any trap, stake, or nonindigenous set making material upon any public road right-of-way except during a period of time that begins two weeks before the trapping season opens and ends on the last day of the season.

[Filed 6/12/09, effective 8/5/09]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/1/09.